

The Rush County Council met in regular session on Wednesday, June 9, 2010 at 8:00 a.m. with Norman Winkler, Chairman, John Pavey, Gerald Mohr, Warren Norris, Bruce Levi, Kevin Spilman, Jerry Kent, Leigh Morning, Attorney, and Deborah Adams, Auditor in attendance.

Chairman, Norman Winkler called the meeting to order. Minutes of the May 12, 2010 meeting were approved on a motion by Gerald Mohr, seconded by John Pavey. Motion carried.

### **EMA**

Mike Ooley, EMA Director, provided tornado siren updates, along with grant updates on the HSHP video conference grant.

Ooley asked the council to approve a transfer of \$7,000.00 for the position of Rob Puckett. John Pavey made the motion to transfer \$7,000.00 from Vehicle Maintenance (1-29-3-6) into Deputy Director (1-29-1-2). Bruce Levi seconded the motion. Voting Aye were Norman Winkler, John Pavey, Gerald Mohr, Warren Norris, Bruce Levi and Jerry Kent. Kevin Spilman voted Nay.

Deborah Adams explained that even though the additional appropriation had received approval from the Dept. of Local Gov. Finance an amended Salary Ordinance was also necessary. Jerry Kent made the motion to approve the amended Salary Ordinance 2009-2 John Pavey seconded the motion. Voting Aye were Norman Winkler, John Pavey, Gerald Mohr, Warren Norris, Bruce Levi and Jerry Kent. Kevin Spilman voted Nay.

### **AMENDED 2010 SALARY ORDINANCE #2009-2**

An ordinance fixing the salaries and wages for the officials and employees for various departments of the County of Rush, Indiana for the calendar year 2010, according to IC 36-2-5-3.

BE IT ORDAINED BY THE COUNTY OF RUSH COUNTY, INDIANA:

#### **SECTION 1**

The State Board of Accounts 2008 audit finding on ALL elected officials salary increases during 2008 are adjusted in the 2010 Salary Ordinance. To clarify the salaries shown below for elected officials are net of the overpayment cited in the audit.

The salaries and wages of the officials and employees for the various departments of the County of Rush, Indiana, for the year 2010 shall be as follows: 90% salary for 90 days of full-time employment. After 90 days, employee receives 100% pay. Part-time employees moving to full

time will be credited for hours of time worked against average number of hours to be worked full time in the 90-day period for all part-time rates **up to** the stated hourly rate.

## SECTION 2

This ordinance hereby amends the previous ordinance by the inclusion of personnel. The addition/change of personnel, salary and benefits are as follows:

DESCRIPTION	SALARY	HOURS WORKED	BI-WEEKLY RATE	HOURLY RATE
<b>FUND 1 COUNTY GENERAL</b>				
<b>Department 1 - Clerk</b>				
Clerk	\$35,152.00	n/a	\$1,352.00	
Deputy Clerk (8 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>Department 2- Auditor</b>				
Auditor - 2008 overpayment \$988.00	\$35,152.00	n/a	\$1,352.00	
Deputy Auditor (4 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>Department 3 - Treasurer</b>				
Treasurer - 2008 overpayment \$998.00	\$35,152.00	n/a	\$1,352.00	
Deputy Treasurer (2 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>Department 4 - Recorder</b>				
Recorder - 2008 overpayment \$988.00	\$35,152.00	n/a	\$1,352.00	
Deputy Recorder	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>Department 5 - Sheriff</b>				
*Sheriff Contract - 2008 overpayment \$966.00	\$62,790.00	n/a	\$2,415.00	
Chief Deputy-Duane Raab	\$45,968.00	86	\$1,768.00	\$20.56
Captain - Click	\$44,382.00	86	\$1,707.00	\$19.85
Captain - Owens	\$44,382.00	86	\$1,707.00	\$19.85
Deputy - Chandler	\$41,080.00	86	\$1,580.00	\$18.37
Sergeant - Sliger	\$42,978.00	86	\$1,653.00	\$19.22
Deputy - Gosser	\$39,858.00	86	\$1,533.00	\$17.83
*Deputy - Houston	\$37,362.00	86	\$1,437.00	\$16.71
*Deputy - Drake	\$37,076.00	86	\$1,426.00	\$16.58
*Deputy - Brinson	\$36,972.00	86	\$1,422.00	\$16.53
*Deputy - Keith	\$37,076.00	86	\$1,426.00	\$16.58
*No longevity pay				
<b>Department 6 - Surveyor</b>				
Surveyor - 2008 overpayment of \$988.00	\$35,152.00	n/a	\$1,352.00	
Deputy Surveyor	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>Department 7 - Coroner</b>				

Coroner - 2008 overpayment \$260.00	\$8,476.00	n/a	\$326.00	
Deputy Coroner	\$2,444.00		\$94.00	
<b>Department 8 - Prosecutor</b>				
Chief Deputy Prosecutor	\$11,154.00	n/a	\$429.00	
Paralegal	\$26,572.00	64	\$1,022.00	\$15.97
Secretary	\$26,572.00	64	\$1,022.00	\$15.97
<b>Department 9 - Prosecutor IV-D</b>				
Deputy Prosecutor	\$23,660.00	n/a	\$910.00	
Administrator (2 each @)	\$26,572.00	64	\$1,022.00	\$15.97
<b>Department 10 - County Assessor</b>				
County Assessor - 2008 overpayment \$988.00	\$35,152.00	n/a	\$1,352.00	
Deputy Assessor	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>Department 12 - County Extension</b>				
Secretary (2 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Ag Program Assistant	\$23,296.00	n/a	\$896.00	
Part time Summer Assistant	\$3,250.00	12 wks		
<b>Department 14 - Jail</b>				
Chief Corrections Officer	\$34,008.00	80	\$1,308.00	\$16.35
Sergeant Corrections Officer	\$31,928.00	80	\$1,228.00	\$15.35
Corp. Corrections Officer	\$30,186.00	80	\$1,161.00	\$14.51
Corrections Officers (4 each @)	\$28,964.00	80	\$1,114.00	\$13.92
Dispatcher	\$28,964.00	80	\$1,114.00	\$13.92
Dispatcher (1/2 salary)	\$14,482.00	40	\$557.00	\$13.92
Secretary	\$32,630.00	80	\$1,255.00	\$15.69
Matron	\$36,478.00	80	\$1,403.00	\$17.54
Part time				\$10.50
<b>Department 16 - Election</b>				
Election Clerk	\$800.00			
Election Board (3)	\$2,300.00			
<b>Department 17 - Circuit Court</b>				
Court Reporter	\$26,572.00	64	\$1,022.00	\$15.97
Chief Probation Officer	\$58,838.00	n/a	\$2,263.00	
Probation Assistant	\$26,572.00	64	\$1,022.00	\$15.97
Administrator	\$26,572.00	64	\$1,022.00	\$15.97
<b>Department 18 - Superior Court</b>				
Court Reporter	\$26,572.00	64	\$1,022.00	\$15.97
Administrator	\$26,572.00	64	\$1,022.00	\$15.97
<b>Department 19 - Commissioners</b>				
Commissioners (3 each @) - 2008 overpayment of \$754.00 each	\$20,202.00	n/a	\$777.00	
Council Chairman	\$5,460.00	n/a	\$210.00	
Councilmen (6 each @)	\$5,122.00	n/a	\$197.00	
Board of Review (2 each @)				\$10.50

<b>Department 21 - Drainage Board</b>				
Member (3 each @) - 2008 overpayment of \$104.00 each	\$2,782.00	n/a	\$107.00	
extra member	\$30.00	per mtg		
<b>Department 22 - Veterans Services</b>				
Veterans Service Officer	\$3,068.00	semi annual	\$1,534.00	
<b>Department 23 - Area Plan Commission</b>				
Executive Director	\$35,152.00	n/a	\$1,352.00	
Secretary	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>Department 24 - Public Defender</b>				
Public Defender-Chief Public Defender	\$67,010.00	n/a	\$2,577.00	
Public Defender-Deputy	\$18,278.00	n/a	\$703.00	
Legal Asst/Office Manager	\$26,572.00	64	\$1,022.00	\$15.97
Legal Asst/Investigator	\$26,572.00	64	\$1,022.00	\$15.97
<b>Department 25 - Soil/Water</b>				
Office Manager	\$26,572.00	64	\$1,022.00	\$15.97
Part time Educator				\$10.50
<b>Department 27 - GIS</b>				
GIS Technician	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>Department 29 - EMA</b>				
EMA Director	\$12,324.00	n/a	\$474.00	
EMA Assisstant Deputy	\$11,986.00	n/a	\$461.00	
<b>Department 30 - I-T</b>				
I-T Technican	\$0.00	0	\$0.00	\$0.00
<b>FUND 2 HIGHWAY</b>				
<b>Department 201 - Highway Administration</b>				
Superintendent	\$42,926.00	n/a	\$1,651.00	
Assistant Superintendent	\$38,740.00	80	\$1,490.00	\$18.63
Clerical	\$31,616.00	80	\$1,216.00	\$15.20
<b>Department 202 - Highway Maintenance</b>				
Drivers, Operators, Laborers				\$15.20
Mechanic				\$16.70
Summer Help				\$10.50
<b>FUND 8 HEALTH</b>				
<b>Department - Health</b>				
Health Officer	\$17,706.00	n/a	\$681.00	
Clerical	\$26,572.00	64	\$1,022.00	\$15.97
Nurse Supervisor	\$39,754.00	64	\$1,529.00	\$23.89
Staff Nurse	\$38,324.00	64	\$1,474.00	\$23.03
Environmental Health/Sanitarian	\$31,018.00	64	\$1,193.00	\$18.64
Part time				\$10.50
Health Board - Elected Official	\$540.00	per mtg	\$45.00	

Part time Assistant Sanitarian				\$10.50
<b>FUND 19 CUM CAPITAL DEVELOPMENT</b>				
<b>Department - Cum Capital</b>				
GIS Technician	\$13,286.00	32	\$511.00	\$15.97
IT Technician	\$46,306.00	64	\$1,781.00	\$27.82
<b>FUND 26 JUVENILE PROBATION USER FEES</b>				
Chief Probation Officer	\$0.00		\$0.00	
Assistant Probation Officer	\$26,142.48	42		\$23.94
<b>FUND 27 ADULT PROBATION USER FEES</b>				
<b>Department - Adult Probation</b>				
Chief Probation Officer	\$0.00		\$0.00	
<b>FUND 44 WORK RELEASE</b>				
<b>Department - Work Release</b>				
Part time				\$10.50
<b>FUND 99 REASSESSMENT</b>				
<b>Department - Reassessment</b>				
Full Time Deputy	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
<b>FUND 104 CLERK PERPETUATION</b>				
<b>Department - Clerk - Perpetuation</b>				
Part time				\$10.50
<b>FUND 107 HEALTH MAINT. TOBACCO SUPPLEMENT</b>				
<b>Department - Tobacco Supplement</b>				
Part-Time Environmental Health	\$24,000.00	42		\$20.00
Part-Time Home Health				\$10.50
<b>FUND 160 INFRACTION DEFERRAL</b>				
<b>Department - Infraction Deferral</b>				
Part time				\$10.50
<b>FUND 163 - E911</b>				
<b>Department - E911 Dispatchers</b>				
Chief Dispatcher	\$34,008.00	80	\$1,308.00	\$16.35
Sergeant Dispatcher	\$31,928.00	80	\$1,228.00	\$15.35
Corp Dispatcher	\$30,186.00	80	\$1,161.00	\$14.51
Dispatcher	\$28,964.00	80	\$1,114.00	\$13.92
Dispatcher (1/2 Salary)	\$14,482.00	40	\$557.00	\$13.92
Part time				\$10.50
<b>FUND 167 PUBLIC DEFENDER - Supplemental</b>				
<b>Department - Public Defender - Supplemental</b>				
Public Defender	\$2,851.60	n/a	\$1,425.80	

DULY ADOPTED THIS 9<sup>TH</sup> DAY OF JUNE 2010

AYE

/s/ Norman L. Winkler

/s/ John Pavey

/s/ Gerald W. Mohr

/s/ Warren L. Norris

/s/ Bruce Levi

/s/ Jerry L. Kent

NAY

/s/ Kevin Spilman

ATTEST:

DEBORAH C. ADAMS, AUDITOR

## **HEALTH**

Dr. Craig Fenimore, Health Board President and Dr. Davis Ellis, County Health Officer appeared before the council to discuss the counties and the Health departments home health care needs, and to discuss and evaluate future needs.

Dr. Fenimore and Dr. Ellis provided copies of their 2009 Annual Report and briefly discussed the Health Department requirements as per Indiana Code.

Dr. Ellis will meet with the D.L.G.F. (Dept. Local Gov't Finance) field representative Wayne Hudson, Councilmen Norman Winkler, Bruce Levi and Kevin Spilman and auditor Deborah Adams on Thursday, June at 8:30am to discuss the health budget projections for 2011.

## **HIGHWAY**

Council Chairman Norman Winkler held a public hearing to consider a "Proposed" increase of the Annual License SURTAX and WHEEL TAX. The proposed increase would be effective beginning January 1, 2001. Winkler opened the floor at 8:30 a.m. for public comment. No public comment was received.

Bruce Levi questioned the small trailer remaining the same cost. The council continued conversation on other vehicle cost items. Jerry Kent made the motion to adopt Ordinance 2010-1 Gerald Mohr seconded the motion. Voting Aye were Norman Winkler, John Pavey, Gerald Mohr, Warren Norris and Jerry Kent. Voting Nay were Bruce Levi and Kevin Spilman.

## COUNTY COUNCIL

### ORDINANCE 2010-1

#### AN ORDINANCE TO IMPOSE AN ANNUAL LICENSE EXCISE SURTAX AND WHEEL TAX

WHEREAS, I.C. 6-3.5-4 authorizes the Rush County Council to impose, by Ordinance, an annual Excise Surtax of not less than two percent (2%) or more than ten percent (10%) on each motor vehicle, subject to the annual excise tax, registered in Rush County; and

WHEREAS, I.C. 6-3.5-5 authorizes the Rush County Council to impose, by Ordinance, an annual Wheel Tax of not less than Five Dollars (\$5.00), or more than Forty Dollars (\$40.00) on each of six (6) classifications of motor vehicles (buses, recreational vehicles, semi-trailers, tractors, trailers, trucks), not subject to the excise tax, registered in Rush County; and

WHEREAS, I.C. 6-3.5-5 authorizes the Rush County Council to set different Wheel Tax rates within the classification of buses, recreational vehicles, semi-trailers, tractors, trailers, and trucks, based on the declared gross vehicle weight classifications used by the Indiana Bureau of Motor Vehicles; and

WHEREAS, I.C. 6-3.5-4 and I.C. 6-3.5-5 require that the Excise Surtax and Wheel Tax be imposed concurrently; and

WHEREAS, Rush County and the City of Rushville and the incorporated towns in Rush County have experienced a severe shortfall in Gasoline Tax Funds needed to support the safe, all-weather operation of the road and street system in Rush County;

NOW, THEREFORE, BE IT ORDAINED by the County Council of Rush County, Indiana, as follows:

#### I. SURTAX

A. Beginning January 1, 2011, and until further amended by Ordinance, all of the vehicles registered in Rush County, Indiana shall pay Sur Tax as follows:

1.	Rate Type	<u>\$25.00</u>
	(indicate flat rate or percentage rate)	
2.	Passenger Vehicles	<u>\$25.00</u>
3.	Motorcycles	<u>\$25.00</u>
4.	Trucks I.C. 9-29-5-3	
	(including farm trucks and Class B recovery vehicles)	
	1-11,000 pounds	
a.	7,000 lbs (1-7,000 lbs)	<u>\$25.00</u>
b.	9,000 lbs (7,001-9,000 lbs)	<u>\$25.00</u>
c.	10,000 lbs (9,001-10,000 lbs)	<u>\$25.00</u>
d.	11,000 lbs (10,001-11,000 lbs)	<u>\$25.00</u>

B. The annual Surtax and Excise Tax are to be paid at the same time as the annual vehicle registration of the motor vehicle.

## II, WHEEL TAX

A. Beginning January 1, 2011, and until further amended by Ordinance, all of the following six (6) classes of vehicles registered in Rush County, Indiana, shall pay Wheel Tax as follows:

1. Trucks I.C. 9-29-5-3 (including farm trucks and recovery vehicles) 11,000 lbs and over
  - a. 16,000 lbs (11,001-16,000 lbs) \$40.00  
(includes Class B recovery vehicles)
  - b. 20,000 lbs (16,001-20,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - c. 23,000 lbs (20,001-23,000) \$40.00  
(includes Class A recovery vehicles)
  - d. 26,000 lbs (23,001-26,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - e. 30,000 lbs (26,001-30,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - f. 36,000 lbs (30,001-36,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - g. 42,000 lbs (36,001-42,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - h. 48,000 lbs (42,001-48,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - i. 54,000 lbs (48,001-54,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - j. 60,000 lbs (54,001-60,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - k. 66,000 lbs (60,001-66,000 lbs) \$40.00  
(includes Class A recovery vehicles)
  - l. 66,000+ lbs (66,001 LBS AND OVER) \$40.00  
(INCLUDES Class A recovery vehicles)
2. Trailers used with motor vehicles I.C. 9-29-5-4 (includes farm trailers)
  - a. 3,000 lbs (1-3,000 lbs) \$20.00
  - b. 5,000 lbs (3,001-5,000 lbs) \$20.00
  - c. 7,000 lbs (5,001-7,000 lbs) \$20.00
  - d. 9,000 lbs (7,001-9,000 lbs) \$20.00
  - e. 12,000 lbs (9,001-12,000 lbs) \$20.00
  - f. 16,000 lbs (12,001-16,000 lbs) \$20.00
  - g. 22,000 lbs (16,001-22,000 lbs) \$20.00
  - h. 22,000+ lbs (22,000 lbs AND OVER) \$20.00
3. Recreational Vehicles \$40.00
4. Semi-Trailers (used in combination with Tractors to form "Semi-and Tractor"; includes Farm Semi-Trailer and Tractor) Trailer
  - a. Semi-Trailer – one (1)-Year \$40.00



b. Semi-Trailer – Five (5)-Year Cycle			
i.	First year		<u>\$40.00</u>
ii.	Second Year		<u>\$40.00</u>
iii.	Third year		<u>\$40.00</u>
iv.	Fourth year		<u>\$40.00</u>
v.	Fifth year		<u>\$40.00</u>
c. Semi-Trailer – Permanent			<u>\$40.00</u>
5. Tractors I.C. 9-29-5-3			
a.	7,000 lbs	(1-7,000 lbs)	<u>\$40.00</u>
b.	9,000 lbs	(7,001-9,000 lbs)	<u>\$40.00</u>
c.	10,000 lbs	(9,001-10,000 lbs)	<u>\$40.00</u>
d.	11,000 lbs	(10,001-11,000 lbs)	<u>\$40.00</u>
e.	16,000 lbs	(11,001-16,000 lbs)	<u>\$40.00</u>
f.	20,000 lbs	(16,001-20,000 lbs)	<u>\$40.00</u>
g.	23,000 lbs	(20,001-23,000 lbs)	<u>\$40.00</u>
h.	26,000 lbs	(23,001-26,000 lbs)	<u>\$40.00</u>
i.	30,000 lbs	(26,001-30,000 lbs)	<u>\$40.00</u>
j.	36,000 lbs	(30,001-36,000 lbs)	<u>\$40.00</u>
k.	42,000 lbs	(36,001-42,000 lbs)	<u>\$40.00</u>
l.	48,000 lbs	(42,001-48,000 lbs)	<u>\$40.00</u>
m.	54,000 lbs	(48,001-54,000 lbs)	<u>\$40.00</u>
n.	60,000 lbs	(54,001-60,000 lbs)	<u>\$40.00</u>
o.	66,000 lbs	(60,001-66,000 lbs)	<u>\$40.00</u>
p.	66,000+ lbs	(66,001 lbs AND OVER)	<u>\$40.00</u>
6. Tractors I.C. 9-29-5-5			
a.	20,000 lbs	(1-20,000 lbs)	<u>\$40.00</u>
b.	26,000 lbs	(20,001-26,000 lbs)	<u>\$40.00</u>
c.	30,000 lbs	(26,001-30,000 lbs)	<u>\$40.00</u>
d.	36,000 lbs	(30,001-36,000 lbs)	<u>\$40.00</u>
e.	42,000 lbs	(36,001-42,000 lbs)	<u>\$40.00</u>
f.	48,000 lbs	(42,001-48,000 lbs)	<u>\$40.00</u>
g.	54,000 lbs	(48,001-54,000 lbs)	<u>\$40.00</u>
h.	60,000 lbs	(54,001-60,000 lbs)	<u>\$40.00</u>
i.	66,000 lbs	(60,001-66,000 lbs)	<u>\$40.00</u>
j.	72,000 lbs	(66,001-72,000 lbs)	<u>\$40.00</u>
k.	74,000 lbs	(72,001-74,000 lbs)	<u>\$40.00</u>
l.	76,000 lbs	(74,001-76,000 lbs)	<u>\$40.00</u>
m.	78,000 lbs	(76,001-78,000 lbs)	<u>\$40.00</u>
n.	78,000+ lbs	(78,001 lbs AND OVER)	<u>\$40.00</u>
7. Buses I.C. 9-29-5-7			
a. Bus A Commercial Inter-City			
i.	11,000 lbs	(1-11,000 lbs)	
ii.	16,000 lbs	(11,001-16,000 lbs)	<u>\$40.00</u>
iii.	20,000 lbs	(16,001-20,000 lbs)	<u>\$40.00</u>
iv.	26,000 lbs	(20,001-26,000 lbs)	<u>\$40.00</u>
v.	30,000 lbs	(26,001-30,000 lbs)	<u>\$40.00</u>
vi.	36,000 lbs	(30,001-36,000 lbs)	<u>\$40.00</u>
vii.	42,000 lbs	(36,001-42,000 lbs)	<u>\$40.00</u>
viii.	48,000 lbs	(42,001-48,000 lbs)	<u>\$40.00</u>

	ix.	54,000 lbs	(48,001-54,000 lbs)	<u>\$40.00</u>
	x.	60,000 lbs	(54,001-60,000 lbs)	<u>\$40.00</u>
	xi.	60,000+ lbs	(60,000 lbs AND OVER)	<u>\$40.00</u>
b.	Bus A Commercial Intra-City			
	i.	11,000 lbs	(1-11,000 lbs)	<u>\$40.00</u>
	ii.	16,000 lbs	(11,001-16,000 lbs)	<u>\$40.00</u>
	iii.	20,000 lbs	(16,001-20,000 lbs)	<u>\$40.00</u>
	iv.	26,000 lbs	(20,001-26,000 lbs)	<u>\$40.00</u>
	v.	30,000 lbs	(26,001-30,000 lbs)	<u>\$40.00</u>
	vi.	36,000 lbs	(30,001-36,000 lbs)	<u>\$40.00</u>
	vii.	42,000 lbs	(36,001-42,000 lbs)	<u>\$40.00</u>
	viii.	48,000 lbs	(42,001-48,000 lbs)	<u>\$40.00</u>
	ix.	54,000 lbs	(48,001-54,000 lbs)	<u>\$40.00</u>
	x.	60,000 lbs	(54,001-60,000 lbs)	<u>\$40.00</u>
	xi.	60,000+ lbs	(60,000 lbs AND OVER)	<u>\$40.00</u>
8.	Bus C Not for Hire I.C. 9-29-5-10			<u>\$40.00</u>
9.	School Bus I.C. 9-29-5-8 or Church Bus I.C. 9-29-5-9 (if not exempt pursuant to IC 6-3.5-5-4)			<u>\$40.00</u>

B. The annual Wheel Tax and Excise Tax are to be paid at the same time as the annual vehicle registration of the motor vehicle.

III. Beginning January 1, 2011, all of the Excise Surtax and Wheel Tax collected on motor vehicles registered in Rush County, Indiana, on or before the tenth day of the month following the month in which wheel tax and surtax is collected, the wheel tax and the surtax shall be remitted to the Treasurer of Rush County. Concurrently, a wheel tax and surtax collections report shall be filed with the Rush County Treasurer and the Rush County Auditor. These reports shall be filed on the forms prescribed the Indiana State Board of Accounts.

If the wheel tax and surtax for a commercial motor vehicle is collected directly by the Indiana Department of Revenue, on or before the tenth day of the month following the month in which the wheel tax and surtax is collected, the Commissioner of the Indiana Department of State Revenue shall remit the wheel tax and surtax report to the Rush County Treasurer. Concurrently, a wheel tax and surtax collections report shall be filed with the Rush County Treasurer and the Rush County Auditor. The reports shall be prepared on forms prescribed by the Indiana State Board of Accounts.

IV. This Ordinance shall be effective January 1, 2011.

V. All other Ordinances in conflict with this Ordinance are repealed as of the effective date of this Ordinance.

Adopted this 9<sup>th</sup> day of June, 2010.

/s/ Norman Winkler  
Norman Winkler

voted nay  
Bruce W. Levi

/s/ John Pavey  
John Pavey

voted nay  
Kevin Spilman

/s/ Gerald Mohr  
Gerald Mohr

/s/ Jerry Kent  
Jerry Kent

/s/ Warren L. Norris  
Warren L. Norris

ATTEST:

/s/ Deborah C. Adams  
Deborah C. Adams, Auditor

Dennis and Chuck Peggs appeared at the meeting at 8:46 a.m. just after the public hearing has been held and the ordinance passed. Both men questioned as to why the rate increases when they had understood that the rates were to originally to be only temporary rates. The council and highway superintendent Jerry Sitton explained that they did not have a lot of options. Their main concern was to protect the county roads. The income is low. The gas tax is low, and the interest rates are also low.

Sitton finished by reporting that the department is still chipping and sealing county roads. They are usually finished by June 1<sup>st</sup>.

### **PUBLIC DEFENDER**

Judge David Northam reported that funding will run out for Public Defender Bryan Barrett at the end of August. Northam will be meeting with the auditor to discuss funding options.

### **SHERIFF**

Duane Raab, Chief Deputy, reported in the absence of Sheriff Jeff Sherwood, that the jail is currently housing 49 inmates.

Raab provided council members with copies of the Indiana Department of Correction "Jail Inspection Report" for their review. The jail inspection was conducted on May 20<sup>th</sup>, 2010.

Raab reported that the sheriff has been named in a tort claim that does not involve the county.

### **AREA PLAN**

Bill Todd, Area Plan Director, provided an ECDC and an Ag Round Table up date.

Councilman Norman Winkler asked Todd for an update in regards to the Park Restaurant. Todd reported that the city and the county are currently working on a solution. Todd did explain that a long term drainage solution is being explored for Hodges Branch.

### **AUDITOR**

Deborah Adams, Auditor, reported that spring tax distribution checks will be released May 18<sup>th</sup> to the taxing units.

Adams reported that the State Board of Accounts returned to complete the 2009 audit.

Adams quested as to who will be attending the Indiana County Councils Association state called meeting June 26<sup>th</sup>. Warren Norris and Kevin Spilman will both attend. Adams will register them at a fee of \$35.00 each. The meeting will be held at the Hamilton County Fairgrounds.

### **FIBER**

Bruce Levi provided an update and reported that the fiber is now lit downtown.

Motion to adjourn was initiated by Kevin Spilman. Gerald Mohr seconded the motion, motion carried.

<u>/s/Norman Winkler</u>	<u>/s/John Pavey</u>	<u>/s/Gerald Mohr</u>
Norman Winkler, Chairman	John Pavey	Gerald Mohr

<u>/s/Warren Norris</u>	<u>/s/Bruce Levi</u>	<u>/s/Kevin Spilman</u>
Warren Norris	Bruce Levi	Kevin Spilman

<u>/s/Jerry Kent</u>
Jerry Kent

ATTEST:

<u>/s/Deborah C. Adams</u>
Deborah C. Adams, Auditor